

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 14, 2010

DIVISION THREE

B217353 Los Angeles County, D.C.F.S. (Not for Publication)
v.
N.P., et al.

The order is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B213148 Henry (Not for Publication)
v.
City of Los Angeles, et al.

The judgment is affirmed. Respondents are awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

May 14, 2010 (Continued)

DIVISION THREE (continued)

B206474 People (Not for Publication)
v.
Hernandez

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

B211022 People (Not for Publication)
v.
Sullivan

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B216498 Gallegos (Not for Publication)
v.
Gallegos

The judgment is affirmed. Respondent Gloria Gallegos shall recover her costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

May 14, 2010 (Continued)

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and V. Guzman, Deputy Clerk.

Each of the following:

B215593 People v. Carlos M.
B212922 People v. Dupois and Rice
B217567 DCFS v. Christian E., Sr.
B217540 County of Los Angeles v. Fairmont Specialty Group
B217841 People v. Lyons
B219197 People v. Alvarez
B210958 People v. Santos and Aguirre
B219975 DCFS v. D.J.
B217350 DCFS v. Joshua P.

Argument waived, cause submitted.

B217016 Black v. California Appellate Project
B217054 Black v. Gaynor

Merits:

Argued by Tim Harris for respondents. Appellant previously waived oral argument. Cause submitted.

B213638 People
 v.
 Hayes

Merits:

Argued by Jonathan E. Demson for appellant and by Peggy Z. Huang, deputy attorney general for respondent. Cause submitted.

DIVISION FOUR (continued)

B213609 Markowitz
 v.
 City of Pasadena

Merits:
Argued by B. Kwaku Duren for appellant and by Frank L. Rhemrev,
assistant city attorney for respondent. Cause submitted.

B220334 In re Carroll
 on
 Habeas Corpus

Merits:
Argued by Linnea D. Piazza, deputy attorney general for appellant and by
Randy S. Kravis for respondent. Cause submitted.

B215316 People
 v.
 Sepulveda

Merits:
Argued by Lawrence R. Young for appellant and by Ana R. Duarte, deputy
attorney general for respondent. Cause submitted.

B214058 Himelfarb
 v.
 Himelfarb

Merits:
Argued by Dirce Himelfarb appellant in propria persona and by Artemio M.
Santiago for respondent. Cause submitted.

DIVISION FOUR (continued)

B213450 Trustees of Southern California IBEW-NECA Pension Plan, et al.
v.
Gartel Corp.

Merits:

Argued by Adam M. Leach for appellant and by Jacqueline Sugarman for respondents. Cause submitted.

Court in recess.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and V. Guzman, Deputy Clerk.

B215343 People
v.
Hicks

Merits:

Argued by Murray Kamionski for appellant and by William H. Shin, deputy attorney general for respondent. Cause submitted.

B208390 Shiohama
B212855 v.
Nash

Merits:

Argued by Hester Nash appellant in propria persona and there being no appearance by respondent. Cause submitted.

B217014 Highland Construction, Inc.
v.
State of California, Dept. of Transportation

Merits:

Argued by Richard A. Soll for appellant and by Vincent De Marzo for respondent. Cause submitted.

DIVISION FOUR (continued)

B213735 Segue Electronics, Inc., et al.
 v.
 Phihong U.S.A. Corp., et al.

Merits:

Argued by Ryan Kirkpatrick for appellants and by Yee-Horn Shuai for respondents. Cause submitted.

B213852 Salomon
 v.
 Najibi

Merits:

Argued by Jan E. Dodd for appellant and by Richard G. Harris for respondent. Cause submitted.

B215187 Garcia
 v.
 Smart & Final, Inc., et al.

Merits:

Argued by I. Benjamin Blady for appellant; by Steven C. Gonzalez for respondent Smart & Final and by Karen D. Simpson for respondent Reyes. Cause submitted.

Court adjourned.

B213716 People
 v.
 Belin

Filed order denying petition for rehearing.

DIVISION FIVE

B218847 Carlos Alvarez (Certified for Publication)

v.

Workers Compensation Appeals Board
Andromeda Entertainment, Respondent

The ex parte communication between Dr. Miller and defense counsel violated provisions of section 4062.3, sub divisions (e) and (f). Alvarez is entitled to a new panel qualified medical evaluator. The decision of the WCAB is annulled and the matter is remanded for further proceedings consistent with this opinion. Petitioner is awarded his costs.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Ferns, J. (Assigned)

DIVISION SIX

B215836 Gaviota Conservancy, et al.

v.

Santa Barbara Local Agency Formation Commission

Filed order denying petition for rehearing.

DIVISION EIGHT

B212147 Diaz (Not for Publication)

v.

Central Freight Lines, Inc.

The judgment is affirmed. Central Freight Lines, Inc. is to recover its costs on appeal.

Grimes, J.

We concur: Rubin, Acting P.J.
 Flier, J.